

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

KATIE WAIDMANN, an individual

Plaintiff,

v.

Case No.: 2:20-cv-162-FtM-38MRM

ADVANCED RADIOLOGY IMAGING
ASSOCIATES, LLC, MI MEDICAL
SPA, LLC and SAURIN J. SHAH,

Defendants.

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OPINION AND ORDER¹

Before the Court are the parties' Notice of Settlement ([Doc. 35](#)) and Joint Stipulation for Dismissal ([Doc. 36](#)). Katie Waidmann sued Advanced Radiology Imaging Associates, LLC, MI Medical Spa, LLC, and Saurin J. Shah under the Fair Labor Standards Act (FLSA) for unpaid overtime and for five common law tort claims. ([Doc. 1](#)). The parties now inform the Court they have resolved Waidmann's FLSA claim without compromise and with attorney fees and costs negotiated and paid separately. Therefore, there is no need for the Court to review and approve the settlement for fairness. See [Lynn's Food Stores, Inc. v. U.S. Dep't of Labor](#), 679 F.2d 1350, 1352 (11th Cir. 1982); see also [Mackenzie v. Kindred Hosps. East, L.L.C.](#), 276 F. Supp. 2d 1211, 1217 (M.D. Fla. 2003). [Federal Rule of Civil Procedure 41\(a\)\(1\)\(A\)\(ii\)](#) allows a plaintiff to dismiss an

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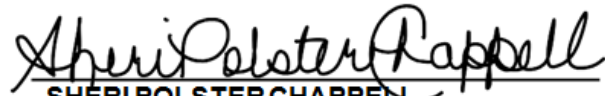
action voluntarily by filing a stipulation signed by all parties who have appeared, as Waidmann has done here.

Accordingly, it is now

ORDERED:

1. The case is **DISMISSED with prejudice**.
2. The Clerk of the Court is **DIRECTED** to enter judgment accordingly, terminate all pending motions and deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 3rd day of August, 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record